

## REMARKS

### **I. Introduction**

Claims 13-24 are pending in the present application. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration of the pending claims is respectfully requested.

### **II. Rejection of Claims 13 to 22 under 35 U.S.C. § 112 first paragraph**

Examiner rejects claims 13 to 24 under 35 U.S.C. § 112, first paragraph as failing to comply with the enablement requirement. Applicants respectfully submit that all the claims are properly enabled as discussed below and request the withdrawal of this rejection.

Examiner rejects claims 13 and 15 and, furthermore, rejects claims 14 and 16-22 as being dependent on claim 13 because the Examiner does not find support for the comparison step of the claims in the Specification and figures. Applicants respectfully submit that the comparison step in which location codes are compared to selection data in order to select digitally coded messages based on a geographic location of the vehicle is identified in several places within the Specification and in the figures.

The Specification includes numerous references to the comparison of location data in digitally coded messages with the selection data emitted by the transmitters in order to implement a method for geographical selection of messages. For example, the Specification states:

The present invention concerns a method for geographical selection of digitally coded messages which are emitted from several transmitters and ***contain location data that are compared, in receivers, to selection data that are dependent on the respective position of the receivers***; and a receiver having a device for the selection of digitally coded messages. Specification, page 1 lines 1-6 (emphasis added).

In the method according to the present invention, this object is achieved in that ***the transmitters additionally emit selection data*** which characterize their respective transmission regions and which, in the receiver, ***are compared to location data***

***contained in the messages.*** Specification, page 3 lines 9-13 (emphasis added).

In a receiver according to the present invention having a device for the selection of digitally coded messages which are emitted by several transmitters, contain location data, and are selected in the receiver on the basis of selection data that depend on the respective position of the receiver, the object of the present invention is achieved in that ***the receiver furthermore has a device for the reception of selection data which are emitted by transmitters*** and which characterize the transmission region of the respective transmitter, ***and a device for comparing the selection data to the location data contained in the message.*** Specification, page 6 lines 22-32 (emphasis added).

Figure 3 schematically shows the journey of a vehicle from a point A to a point B. ... ***By comparison with the areas of transmitter x (which can still be received), the receiver can now narrow down the selection to areas G2 and G3, and outputs only messages for those regions.*** Figure 3 and Specification, page 9 lines 17-29 (emphasis added)(showing the use of selection data for the transmitters used in comparison with the location data in the message to select messages—in this case only messages for areas G2 and G3).

Figures 4 and 5 also describe the comparison process. For example, the Figures and their description in the Specification state:

Figure 4 shows a flow chart for the analysis of received selection data, which hereinafter will also be called selection codes. ... if the message is a standard TMC message, it is decoded 24 and at 25 is selected based on the particular selection table currently in memory. This selection table was created by way of previously received selection codes. Specification, page 10 lines 10-19; *See* Figure 4.

Figure 5 shows a flow chart for the selection of messages based on received selection codes. ... If so, a determination is made at 48 as to whether the location code LC contained in the respective processed message is referenced to area codes AC. If so, at 44 the message is marked as selected. If not, at 49 the message is marked as not selected. Specification, page 11 lines 9-23; *See* Figure 5.

The Examiner has also expressed some confusion regarding the selection data itself. Selection data is location information about the transmitters and may

include area codes. In FIGS. 2a and 2b, example system messages emitted by transmitters and containing selection data is shown and further described in the Specification on page 8 line 13 to page 9 line 16. The selection data may indicate the position of the receiver and is used to select relevant digitally coded messages as described in at least one embodiment in the Specification. For example, the Specification states:

In the method according to the present invention, this object is achieved in that ***the transmitters additionally emit selection data*** which characterize their respective transmission regions and which, in the receiver, are compared to location data contained in the messages. Specification, page 3 lines 9-13 (emphasis added).

For units with dedicated TMC tuners, it is furthermore advantageous that when several TMC transmitters are being received, ***a selection of the service can also be made on the basis of the selection data, in particular the area code***. For example, if the system knows the destination of the journey, it can select the TMC service whose area code contains the destination, since this ensures that all messages relevant to the route of travel are selected. Specification, page 4 lines 1-8 (emphasis added).

In a first embodiment of the method according to the present invention, ***provision is made for the selection data to be location codes of areas*** which are defined for the coding and decoding of messages and fall at least partially in the transmission region. ***The location codes, hereinafter also called area codes, can be used directly by the receiver as a selection criterion***, since all the locations defined for the coding and decoding of messages are referenced to such location codes. In other words, the only messages which pass through the filter are those whose primary or secondary location indication is located inside the territory defined by the area code. Specification, page 4 lines 13-24 (emphasis added).

A second embodiment of the method according to the present invention consists in the fact that ***the selection data are coordinates and radii of the transmission regions***. In this context, the radius represents, in simplifying fashion, the range of the respective transmitter. Specification, page 4 lines 26-30 (emphasis added).

Lastly, if it is to be possible both to transmit area codes and to transmit coordinates and radii, in an advantageous embodiment

of this development provision is made for additionally transmitting in the first data block the information concerning the type of selection data ... Specification, page 6 lines 3-7.

The above referenced sections clearly point out that the selection data may contain area codes and the selection data may contain coordinates and radii. The Specification, as shown in the sections above, uses the selection data (regardless of type) in comparison with the location(s) in the digitally coded messages to implement the method for geographical selection.

The location information about the transmitters that make up the selection data is different than the location data in the digitally coded messages—this message location data refers to the location(s) where the message is relevant. Both may be emitted by the transmitters as indicated by the need for a code identifying an emitted message as containing selection data instead of digitally coded message. *See*, Figures 2a and 2b; Specification, page 8, lines 13-17; Specification, page 10 line 14-18. For example, the Specification defines the location data in the digitally coded messages as follows:

***In this context, the essential elements of a traffic message are the location of the event, and the event itself.*** These indications are cataloged, i.e. a unique code is assigned to each traffic-relevant location and each traffic-relevant event. Specification, page 1 lines 25-29 (emphasis added).

The Specification also discusses the RDS and TMC messages as additional examples of digitally coded messages that are well known to those skilled in the art.

Examiner rejects claim 23 and further rejects claim 24 as being dependent on claim 23, because the Examiner does not find support for both the location data in the digitally coded messages and the selection data “both being transmitted by the transmitters” (Office Action at p. 3) and the Examiner does not find support for “a device for comparing the location data to the selection data in the receiver in the claims 13 and 15” (*id.*). Applicants respectfully submit that the information provided above regarding claims 13

and 15 apply equally to Examiner's rejection of claim 23. Additionally, the Specification and Figures also address these concerns. For example:

The present invention concerns a method for geographical selection of digitally coded messages which are emitted from several transmitters and ***contain location data that are compared, in receivers, to selection data that are dependent on the respective position of the receivers***; and a receiver having a device for the selection of digitally coded messages. Specification, page 1 lines 1-6 (emphasis added).

In the method according to the present invention, this object is achieved in that ***the transmitters additionally emit selection data*** which characterize their respective transmission regions and which, in the receiver, ***are compared to location data contained in the messages***. Specification, page 3 lines 9-13 (emphasis added).

In a receiver according to the present invention having a device for the selection of ***digitally coded messages which are emitted by several transmitters***, contain location data, and are selected in the receiver on the basis of selection data that depend on the respective position of the receiver, the object of the present invention is achieved in that ***the receiver furthermore has a device for the reception of selection data which are emitted by transmitters*** and which characterize the transmission region of the respective transmitter, ***and a device for comparing the selection data to the location data contained in the message***. Specification, page 6 lines 22-32 (emphasis added).

In these examples, the Specification identifies that the transmitters send the digitally coded messages and additionally send selection data. In addition, the last cited section above identifies that the receiver has a device for comparing the selection data to the location data contained in the message. Also, both Figures 4 and 5 and their respective descriptions describe differentiating messages received from a transmitter to determine if it contain selection data versus regular message data. Figures 2a and 2b also describe using a header to differentiate regular messages from those containing selection data also indicating that the selection data are a form of message sent from the same transmitter.

For at least these reasons, claims 13-24 are properly enabled and Applicants respectfully requests the withdrawal of this rejection.

**CONCLUSION**

Applicants respectfully submit that all pending claims of the present application are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

The Office is authorized to charge any fees associated with this Amendment to Kenyon & Kenyon Deposit Account No. 11-0600.


Respectfully submitted,



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Dated: 5 Nov 2007

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